

Minutes
Regular Meeting of September 22, 2021
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The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in Regular session at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, MS. on September 22, 2021 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

Mayor Smith noted for the record the presence of Aldermen Burke Richardson, and Lafontaine along with City Clerk Mickey Lagasse and City Attorney Malcom Jones.

Absent from the Meeting was Alderman Shane Lafontaine

MAYOR'S REPORT

Re: Discussed proposed improvements to underdeveloped areas to promote development.

Re: Noted the Decorum Ordinance and the Board's wishes to follow the Ordinance with regard to the flow of the Meeting and procedural issues.

Re: Mayor requested that City Clerk Lagasse provide an update concerning streaming and recording the Meetings.

FIRE DEPARTMENT/AMEND AGENDA/PERSONNEL

Re: Amend Agenda to increase salary for Interim Fire Chief to budgeted amount

Alderman Burke moved, seconded by Alderman Richardson to amend the agenda to have Interim Fire Chief's salary increased to the budgeted amount until the appointment of a permanent Chief.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: Discussion regarding the appointment of a new Fire Chief

Alderman Piazza moved, seconded by Alderman Richardson to approve discussion regarding the salary of the Interim Fire Chief and appointment of a new Fire Chief.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: Make Interim Fire Chief's salary retroactive to original date of appointment

Alderman Burke moved, seconded by Alderman Piazza to approve the salary increase retroactive to the night of appointment.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

ALDERMEN'S COMMENTS

Re: Alderman Burke

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- **Inquired about meetings being held live in the Board Room. The Board consensus was to return to live meetings at the second meeting of October 20, 2021.**

Alderman Richardson

- **Asked when the road striping on Nicholson Avenue begin**

Alderman Piazza

- **Inquired about the progress on the Idlewood Pond**

ATTORNEY'S COMMENTS

Re: City Attorney updated Board on communication/water tower lease

Re: City Attorney discussed the Protected Tree Ordinance and reviewed the contents that would need to be corrected.

Re: Mr. Jones discussed the Decorum Ordinance and the removal of Public Comments from the agenda

Re: Provided the Board with information regarding the old "Our Shopping Center" location, noting the desire of Shell Oil Company to use the parking area for parking and hire off duty Police Officers as

AMEND AGENDA/POLICE DEPARTMENT

Re: Amend Agenda to approve allowing use of Off-Duty Police Officers to act as security at the old Our Shopping Center Property as requested by PHI

Alderman Richardson moved, seconded by Alderman Burke to amend the agenda allow PHI to contract with the City of Waveland Police Department for the use of off-duty Waveland Police officers

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: Approve an Agreement to allowing off-duty Officers to act as security at the Old Our Shopping Center Property as request by PHI

Alderman Burke moved, seconded by Alderman Richardson to allow off-duty officers, with the caveat that Police vehicle will not be used during the detail until proof of liability insurance is presented. Contract date not to exceed January 4, 2022. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

~~PUBLIC COMMENTS~~

HEALTH INSURANCE

Re: James Moody with BSX insurance was present to provide an update on health insurance

AMEND AGENDA/MEETINGS/ORDINANCES/DECORUM ORDINANCE

Re: Amend Agenda to allow Public Comments

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Alderman Burke moved, seconded by Alderman Richardson to amend the agenda to place Public Comments at the end of the meeting, only for this meeting, pending the amendment to Ordinance 323.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: Allow Public Comments to be heard

Alderman Richardson moved, seconded by Alderman Burke to move public comments to the end of the meeting.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

PLANNING AND ZONING (EXHIBIT B)

Re: Jill Siemssen, 606 S. Beach Boulevard (Tabled from the September 7, 2021 Meeting)

Jill Siemssen, owner of the property commonly known as 606 S. Beach Boulevard, (Parcel #162R-0-10-073.000), legal description; Part of Lots 84 & 86, 3rd Ward, Waveland, MS 39576, is requesting the removal of a Protected Tree on the applicant's property. The Protected Tree is a Live Oak with a diameter of approximately twenty-six (26) inches. The purpose for the removal of the Live Oak is that the tree is a hazard to people and structures on the property (please see Certified Arborist Report included in this item). As stated in Section 907 of the current zoning Ordinance, there are only two conditions under which an application to remove a Protected Tree may be submitted. The applicant is requesting the removal based on Section 907.1, which stated that 'The tree or trees proposed to be cut are in such poor health or bad physical condition as to be a hazard to human and property safety.'

Commissioner Adams made a motion, seconded by Commissioner Frater, to recommend denial of request to remove the Protected Live Oak Tree. Commissioners Adams, Harris & Frater voted in favor of the recommendation.

~~Alderman Burke moved, seconded by Alderman to follow the recommendation of the commission and deny the request as submitted. (Alderman Piazza removed his motion as did Alderman Burke negating a motion on the floor)~~

Re: Approval to remove Oak Tree

Alderman Burke moved, seconded by Alderman Richardson to approve the removal of the oak tree.

A vote was called for with the following results:

Voting Yea: Richardson and Piazza

Voting Nay: Burke

Absent: Lafontaine

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BLIGHTED PROPERTY PUBLIC HEARING

~~1314 Dubuc Lane—Chris Cabot~~ (Removed 9/20/21)

Re: 946 Highway 90 – Robert Bourgeois (EXHIBIT C)

Mayor Smith: Would you give us the status on 946 Highway 90?

Mr. Hayes: Just to give an update, we have been receiving many complaints about this property right across from Idlewood there. Just accumulation of rubbish and trash. There's a couple of half built structures out there that I would call trash as well. There's an affidavit here before yall to review, just basically talks about the state statute 21-19-11 serving notice and posting on the property, 2 weeks before the hearing. It's still in the same state.

Mayor Smith: Now Josh, let me ask you something real quick is that the next to the tobacco place on Highway 90.

During discussion, Mayor Smith noted the effort to clean the property. Mr. Hayes offered the additional time if needed. City Attorney Jones recommended the blighted property team call the property owner to further satisfy

Alderman Burke moved, seconded by Alderman Richardson to continue the hearing with the requirement that the Building Official contact the property owner by telephone or in person and work on the status of the work that has been done.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: 209 Highway 90 – Michael D. Haydel Registered Agent of Haydel Properties LP (EXHIBIT D)

Building Official Hayes explained to the Board that this is the old 'Sleep King' building that had been abandoned since Hurricane Katrina (2005). Police Chief Mike Prendergast offered assistance in tracking property owners for further contact.

Alderman Richardson moved, seconded by Alderman Burke to continue the request for 2 weeks to allow additional time for further contact of the property owner.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

Re: 4028 Volga Street – Gulf-Tech Limited (EXHIBIT E)

Building Official Hayes provided the Board with a brief overview of the history of the property, noting that someone obtained a permit to begin repair. The Mayor asked if anyone representing the property was present, with no answer. City Attorney Jones said that he spoke with the owner of the property, Ms. Rage Hebert. Mr. Hayes said that he had a detailed meeting regarding the repair of the dwelling.

BLIGHTED PROPERTY/DEMOLITIONS

Re: Demolition of 4028 Volga

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Alderman Piazza moved, seconded by Alderman Burke to move forward with the demolition of the property at 4028 Volga Street.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

CONSENT AGENDA (a - t)

Re: Approve the consent Agenda

Alderman Burke moved, seconded by Alderman Richardson to approve the consent agenda being listed Items a-t.

PERMITS

Re: Permits Report for the month of August 2021

- a. Approve the Permits Report for August 2021, as submitted. **(EXHIBIT F)**

REVENUE AND EXPENSE REPORT

Re: Revenue and Expense Report for the month of August 2021

- b. Spread on the minutes the Revenue and Expense Report for August 2021. **(EXHIBIT G)**

COURT DEPARTMENT

Re: Court Statistics Reports for the month of August 2021

- c. Spread on the minutes the Court Statistics Reports for the month of August 2021. **(EXHIBIT H)**

PRIVILEGE REPORTS

Re: Privilege License for the Month of August 2021

- d. Approve the Privilege License Report for the month of August, 2021.

MINUTES

Re: Minutes of the Special Meeting of September 6, 2021

- e. Approve the meeting minutes of the Special Meeting of September 6, 2021, as submitted.

MINUTES

Re: Minutes of the Regular Meeting of September 7, 2021

- f. Approve the meeting minutes of the Regular Meeting of September 7, 2021, as submitted.

BUILDING DEPARTMENT/TRAVEL

Re: Travel for Building Clerk Makesi Willis to attend L273 Course in Byrum, Mississippi

- g. Approve travel for Building Clerk Makesi Willis to attend an L273 Course: Managing the Floodplain through the NFIP, October 18th – 21st, 2021 in Byrum, Mississippi. The Cost to the City will be lodging for 5 nights, 6 days per diem, and use of a City Vehicle, there will be no fee for the course.

EVENTS/HALLOWEEN BASH

Re: Annual Halloween Celebration 2021

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- h. Approve Waveland's Halloween Celebration on October 31, 2021 and the closing of Coleman Ave from 4 p.m. to 7 p.m. Coleman Avenue to be closed from 8 a.m. to 8 p.m.

PUBLIC WORKS/STREETS DEPARTMENT/PERSONNEL

Re: Resignation of Mr. Destin Johnson, effective October 4, 2021

- i. Accept the resignation of Destin Johnson effective October 4, 2021 in the Streets Department.

PUBLIC WORKS/STREETS DEPARTMENT/PERSONNEL

Re: Resignation of Mr. Devon Rando, effective October 4, 2021

- j. Accept the resignation of Devon Rando effective October 4, 2021 in the Streets Department.

PUBLIC WORKS/STREETS DEPARTMENT/PERSONNEL

Re: resignation of Mr. Joseph Hallowell, effective October 4, 2021

- k. Accept the resignation of Joseph Hallowell effective October 4, 2021 in the Streets Department.

UTILITY DEPARTMENT/REFUND CHECKS

Re: Utility Refund Checks

- l. Approve utility refund checks in the amount of \$3,650.00. **(EXHIBIT I)**

INVOICES/VETERANS MEMORIAL

Re: Invoice 221-019-5 from Compton Engineering

- m. Approve Invoice # 221-019-5 from Compton Engineering in the amount of \$9,517.50 – Hurricane Zeta Projects (Veterans Memorial, Public Works Design). **(EXHIBIT J)**
- n. Approve Invoice #221-033.001-6 from Compton Engineering in the amount of \$29,599.98 – Citywide Paving Project. **(EXHIBIT K)**
- o. Approve Invoice #221-033.005-3 from Compton Engineering in the amount of \$742.50 – Handicap Beach Access. **(EXHIBIT L)**
- p. Approve Invoice #221-033.006-2 from Compton Engineering in the amount of \$1,240.00-Nicholson Avenue Culvert Repair. **(EXHIBIT M)**
- q. Approve Invoice 221-033.007-1 from Compton Engineering in the amount of \$630.00 – Public Works Pole Barn. **(EXHIBIT N)**
- r. Approve Task Order Request 221-033.008-1 from Compton Engineering – Tidelands Report June-December 2021. **(EXHIBIT O)**
- s. Spread on the minutes that bids for the Veterans Memorial Project and the Handicap Accessible Project were opened prior to the meeting and taken under advisement and will be awarded on October 5, 2021.
- t. Approve the Docket of Claims paid and unpaid in the amount of \$762,516.55 dated September 22, 2021, as submitted. **(EXHIBIT P)**

END CONSENT AGENDA

SIDEWALKS-OLD SPANISH TRAIL/OLD SPANISH TRAIL SIDEWALK PROJECT/MSDOT

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Re: Approve initiation Sidewalk Project from St. Joseph to Old Spanish Trail, ending on Margie Street

Alderman Burke moved, seconded by Alderman Richardson to approve and initiate Project start-up documents with MSDOT for sidewalk project commencing on Herlihy Street traveling down St. Joseph to Old Spanish Trail ending on Margie St. It is an 80/20 match and city expected cost should not exceed \$200,000.00. **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

BUDET FY ENDING SEPTEMBER 30, 2022/FY ENDING SEPTEMBER 20, 2022/CITY HALL/FIRE DEPARTMENT/POLICE DEPARTMENT/PUBLIC WORKS

Re: Approve Employee raises for FY ending September 30, 2022

Alderman Burke moved, seconded by Alderman Richardson to approve employee increases and increase salary for Public Works Manager Veotis Humphry in the amount of \$5,000.00 as budgeted for the FY21-22 budget year, they will go into effect October 04, 2021 which is the beginning of the first full pay period in the new year.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

SURPLUS PROPERTY/POLICE DEPARTMENT/PURCHASING DEPARTMENT

Re: Name certain vehicles inventoried with the City of Waveland Police Department as surplus

Alderman Burke moved, seconded by Alderman Richardson to spread on the minutes the following attached items as property which have ceased to be used for public purpose and the sale thereof will promote the best interest of the City of Waveland. The disposal of the below surplus property shall be publicly auctioned on a date to be determined at the city yard and will be open to the public. The Board directed that all logos be removed from the property prior to the auction day. Being Listed (Items a-d) **(EXHIBIT R)**

- a. 2009 Ford Crown Victoria VIN 2FAHP71V79X144053 Unit #053
- b. 2009 Ford Crown Victoria VIN 2FANP71V29X144056 Unit #056
- c. 2009 Dodge Charger VIN 2B3LA43T59H635426 Unit #426
- d. 2009 Dodge Charger VIN 2B3LA43T19H635424 Unit #424

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

POLICIES/COURT DEPARTMENT/CITY HALL/UTILITIES DEPARTMENT/CASH HANDLING POLICY

Re: Updated Cash Handling Policy for all Departments

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Alderman Burke moved, seconded by Alderman Burke to approve the City's updated cash handling process, this outlines a new set of checks and balances to allow more departments to accept cash as well as setting guidelines for such. **(EXHIBIT S)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

AGREEMENTS/WEBSITE

Re: TABLE approval of proposal from Municode to host City's website

Alderman Piazza moved, seconded by Alderman Richardson to TABLE accepting a proposal from Muni-code to revamp and host the cities website. The proposal will include construction and hosting of a new site, integrated agenda and minute software, a searchable component, ADA compliant as well as an interactive recording of all meetings, muni-code meetings, project tracking and delivery, bidding and RFP's will directly coincide with our new book of ordinances. The cost for construction will be a one-time fee of \$12,300.00 with a monthly hosting fee of \$200.00. We are currently paying \$500.00 per month for hosting. The new website should be up and running by December 1, 2021.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

EXECUTIVE SESSION

Re: Potential Litigation and Personnel Issues

Alderman Piazza moved, seconded by Alderman Burke to discuss Gulf Shores Properties, Oak Park and Gulf Grove Apartments, personnel in the Prospective litigation where it would be necessary to have strategy session that could cause a detrimental impact on litigating position for Gulf Shores and Oak Park Apartment issues, and Public Works Personnel

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Enter Executive Session

Alderman Richardson moved, seconded by Alderman Burke to enter a closed session to discuss Gulf Shores Properties, Oak Park and Gulf Grove Apartments, personnel in the Prospective litigation where it would be necessary to have strategy session that could cause a detrimental impact on litigating position for Gulf Shores and Oak Park Apartment issues, and Public Works Personnel.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

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Absent: Piazza

Re: Enter Executive Session

Alderman Richardson moved, seconded by Alderman Burke to follow the recommendation of the City Attorney to enter Executive Session to discuss Prospective litigation where it would be necessary to have strategy session that could cause a detrimental impact on litigating position for Gulf Shores and Oak Park Apartment issues, and Public works Personnel.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Exit Executive Session

Alderman Piazza moved, seconded by Alderman Burke to come out of executive session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PUBLIC COMMENT

Re: Prima Luc

Re: Rhonda Aime-Gamble

Re: Bryan Frater

Re: Liz Stahler

ADJOURN MEETING AT 10:29 P.M.

Alderman Piazza moved, seconded by Alderman Burke to adjourn the meeting at 10:29 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

The foregoing minutes were presented to Mayor Smith on October 6, 2021.

James M. Lagasse
City Clerk

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The Minutes of the Regular Meeting of September 22, 2021 have been read and approved by me on this, the 6th day of October 2021.

Mike Smith
Mayor